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Attorneys for Defendant
Wal-Mart Stores, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TIMOTHY BOYTOR,

Plaintiff,

v.

WAL-MART STORES, INC., and DOES 1
through 100; and ROE CORPORATIONS 101
through 200,

Defendants.

Case No.: 2:16-cv-02023-JAD-GWF

**~~PROPOSED~~ ORDER TO EXTEND
EXPERT DISCOVERY DEADLINES**

FIRST REQUEST

COMES NOW Plaintiff Timothy Boytor (hereinafter "Plaintiff"), by and through his counsel of record, Jamie Corcoran of the law firm of Bernstein & Poisson, and Defendant, Wal-Mart Stores, Inc. ("Walmart") by and through its counsel of record, Betsy C. Jefferis, Esq. of the law firm of Phillips, Spallas & Angstadt, LLC and hereby stipulate to modify the scheduling order to extend the expert discovery deadlines by forty five (45) days. Pursuant to Local Rule 6-1(b), the parties state this is their first request for such leave.

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- The parties have completed written discovery;

- Walmart has deposed Plaintiff;

**DISCOVERY TO BE COMPLETED AND
REASONS FOR EXTENSION OF DISCOVERY**

Discovery to be completed includes:

- FRCP 35 Independent Medical Examination of Plaintiff.
- Depositions of fact witnesses/store employees;
- Deposition of Walmart's Rule 30(b)(6) witness;
- Expert Disclosures
- Depositions of expert witnesses and treating medical providers;

The parties aver, pursuant to Local Rule 2.25, that good cause exists for the requested extension.

The parties agree that, pending this Court's approval, extension of initial and rebuttal expert disclosure deadlines is appropriate, as the parties wish to further investigate this case, conduct necessary discovery prior to pertinent deadlines, and potentially reach a resolution prior to incurring fees and costs for extensive discovery and experts. Despite the good faith efforts of the parties to comply with the Court's discovery deadlines, Defendant's expert's availability for a preparation of expert reports, as well as the availability of Defendant's PMK to appear for deposition necessitates this extension.

~~PROPOSED~~ NEW DISCOVERY DEADLINES

Initial Expert Disclosure Deadline

Currently: December 23, 2016

Proposed: February 6, 2017

Rebuttal Expert Disclosure Deadline

Currently: January 21, 2017

Proposed: March 7, 2017

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If this extension is granted, all discovery mentioned above should be concluded within the stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED this 21ST day of November, 2016.

/s/ Jamie H. Corcoran

Jamie H. Corcoran, Esq.
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/s/Betsy Jefferis

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*Attorneys for Defendant
Wal-Mart Stores, Inc.*

ORDER

IT IS SO ORDERED.

DATED this 22 day of November, 2016.


UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 21ST day of November, 2016, I electronically served a copy of **[PROPOSED] ORDER TO EXTEND EXPERT DISCOVERY DEADLINES** as follows:

☐ By facsimile addressed to the following counsel of record, at the address listed below;

☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ By Hand Delivery (ROC); and/or

☒ By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
SCOTT L. POISSON, ESQ. Nevada Bar No. 10188 JAMIE H. CORCORAN, ESQ Nevada Bar No. 11790 BERNSTEIN & POISSON 320 S. Jones Blvd. Las Vegas, NV 89107	Phone 702-256-4566 Fax 702-256-6280	Plaintiff

/s/ Betsy C. Jefferis

An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC